

Interview Summary

Application No.
08/368,378

Applicant
BOVA

Examiner
JYOTHSNA VENKAT Ph.D

Group Art Unit
1502

All participants (applicant, applicant's representative, PTO personnel):

(1) JYOTHSNA VENKAT Ph.D

(3) DAVID BOVA *JB*

(2) PETER MANSO (APPLICANTS REPRESENTATIVE) RM

(4) _____

Date of Interview Oct 7, 1997

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: AS OF RECORD

Identification of prior art discussed:

AS OF RECORD

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The counsel explained in detail about the O'Neil patent and Evenstad patent which is the parent patent to O'Neil . He explained that the O'Neil patent requires " hydrophobic component " where as in the instant claimed application there is no " hydrophobic component " . The examiner informed the counsel that the claim 1 has the open-ended expression " comprising " and it is inclusive of all the unrecited ingredients . The counsel informed the examiner that claim 15 is different than claim 1 of O'Neil patent as the claim 15 requires administering the niacin at night or evening which is not claimed by claim 1 of the O'Neil patent . He also proposed to present additional claims which is distinct from the patent . Agreement was not reached whether additional claims would be considered or not . The examiner informed the counsel that the claims and the patent will be reviewed thoroughly .

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.

J Venkat
JYOTHSNA VENKAT Ph.D
PRIMARY EXAMINER
ART UNIT 1502